

## Introduced by Senator Perata

December 9, 2004

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An act relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

SB 29, as introduced, Perata. Budget Trailer Bill: Tobacco Surtax Fund.

Existing law, the Budget Act of 2004, appropriates funds from the Hospital Services Account, Physician Services Account, and Unallocated Account of the Cigarette and Tobacco Products Surtax Fund to the State Department of Health Services for local assistance.

This bill would reappropriate certain amounts from these accounts, so appropriated in the Budget Act of 2004, to the California Healthcare for Indigents Program and the rural health services program.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) Of the amount appropriated in Item  
2 4260-111-0001 of Section 2.00 of the Budget Act of 2004 from  
3 the Cigarette and Tobacco Products Surtax Fund, twenty-four  
4 million eight hundred three thousand dollars (\$24,803,000) shall  
5 be allocated in accordance with subdivision (b) for the 2004–05  
6 fiscal year from the following accounts:

1 (1) Nine million fifteen thousand dollars (\$9,015,000) from  
2 the Hospital Services Account.

3 (2) Two million three hundred twenty-eight thousand dollars  
4 (\$2,328,000) from the Physician Services Account.

5 (3) Thirteen million four hundred sixty thousand dollars  
6 (\$13,460,000) from the Unallocated Account.

7 (b) The funds specified in subdivision (a) shall be allocated  
8 proportionately as follows:

9 (1) Twenty-two million three hundred twenty-four thousand  
10 dollars (\$22,324,000) shall be administered and allocated for  
11 distribution through the California Healthcare for Indigents  
12 Program (CHIP), Chapter 5 (commencing with Section 16940) of  
13 Part 4.7 of Division 9 of the Welfare and Institutions Code.

14 (2) Two million four hundred seventy-nine thousand dollars  
15 (\$2,479,000) shall be administered and allocated through the  
16 rural health services program, Chapter 4 (commencing with  
17 Section 16930) of Part 4.7 of Division 9 of the Welfare and  
18 Institutions Code.

19 (c) Funds allocated by this section from the Physician Services  
20 Account and the Unallocated Account in the Cigarette and  
21 Tobacco Products Surtax Fund shall be used only for the  
22 reimbursement of uncompensated emergency services, as defined  
23 in Section 16953 of the Welfare and Institutions Code. Funds  
24 shall be transferred to the Physician Services Account in the  
25 county Emergency Medical Services Fund established pursuant  
26 to Sections 16951 and 16952 of the Welfare and Institutions  
27 Code.

28 (d) Funds allocated by this section from the Hospital Services  
29 Account in the Cigarette and Tobacco Products Surtax Fund shall  
30 be used only for reimbursement of uncompensated emergency  
31 services, as defined in Section 16953 of the Welfare and  
32 Institutions Code, provided in general acute care hospitals  
33 providing basic, comprehensive, or standby emergency services.  
34 Reimbursement for emergency services shall be consistent with  
35 Section 16952 of the Welfare and Institutions Code.